

Dear Mr. Bensman:

Thank you for your remarks before the Mississippi River Commission (MRC) during our public meeting held on August 17, 2001, in St. Louis, Missouri.

In your statement you asked several questions regarding operation and costs of the Motor Vessel MISSISSIPPI in regard to the MRC public meetings. The motor vessel is primarily used (approximately 90 percent of the time) for towing materials and equipment for construction and maintenance of the Mississippi River and Tributaries project on the lower Mississippi River. The vessel is project-owned and funded. The cost of using the vessel in the upper valley for the Commission when not working in actual construction towing is approximately \$15,000 per day which includes labor and fuel cost. In addition to towing and MRC inspection trips, the vessel serves as an emergency response command center in the event of a natural disaster and has the capacity to provide housing through the use of quarter boat barges for over 200 emergency response workers. The basic costs of the Motor Vessel MISSISSIPPI are borne by the funds appropriated by Congress.

Statutes and regulations require the public meetings of the Mississippi River Commission to be held on the Motor Vessel MISSISSIPPI during the semiannual inspection trips, or at the MRC Headquarters office in Vicksburg, Mississippi (reference 33 U.S.C. Sec. 646 and 33 C.F.R. Sec. 209.50(c)).

The 1879 authorizing legislation for the establishment of the Mississippi River Commission permits the MRC to conduct semiannual inspection trips for the purpose of examining and investigating the Mississippi River and its tributaries (see U.S.C. Sec. 641 et. seq.). The MRC semiannual inspection trips and hearings provide for necessary information gathering for furthering the understanding of the complex needs and issues facing the people living in the Mississippi River Valley region.

The Mississippi River Commission manages implementation of the Mississippi River and Tributaries flood control project on the lower Mississippi River (see 33 U.S.C. Sec. 702h). Since the project was authorized in 1928 (Public Law 70-391, codified at 33 U.S.C. Secs. 702a et. seq.), over \$10 billion has been spent on the project and over \$244 billion has been saved by the nation as a result of project benefits. The results reveal one of the best benefit-cost ratios of any project: \$24 in benefits to \$1 of cost.

Your statement alleges that the St. Louis District does not adhere to Corps regulations regarding public hearings. Public involvement plays a central role in the Corps administration of the regulatory program. The major tools used to interact with the public are the public notice and public hearing. Upon receipt of a request for a public hearing, Corps regulations allow the District Commander to attempt to resolve permit issues informally. Informal forums such as public meetings or workshops can efficiently target issues and provide a greater interaction with concerned individuals or groups. If substantial issues are raised that cannot be resolved informally, the District Commander may determine that a public meeting is needed to obtain information not otherwise available. Upon receipt of a request for a public hearing, Corps regulations require that the District Commander make such a determination in writing and communicate the reasons to all requesting parties.

As you know, the Calhoun Point project is a part of the Upper Mississippi River System Environmental Management Program (EMP). The Calhoun Point Habitat Restoration and Enhancement Project Definite Project Report was completed in June 1996 and approved by the Assistant Secretary of the Army on May 13, 1999.

Public Notice No. P-2260 was issued on March 7, 2001, for the Calhoun Point project. The St. Louis District staff responded to your comments regarding the brown creeper, bald eagle, Indiana bat, and salt meadow grass by letter dated May 14, 2001.

The Calhoun Point project enhances the wetland function and values at the Illinois and Mississippi River confluence by incorporating low-level berms, water level management structures, reforestation, and dredging of backwaters to increase habitat diversity. With regard to your previous comments on other EMP projects, the St. Louis District has embarked on a mission of minimizing adverse clearing limits associated with low-level berm construction for these projects. To do this, the Corps is using professional foresters and biologists from U.S. Fish and Wildlife Service and Illinois Department of Natural Resources to develop selective clearing alignments to protect mature forest stands. This new technique is being utilized on the Calhoun Point project.

As part of the Calhoun Point project, native mast hardwood trees will be used to reforest 90 acres of existing crop fields. In addition, 115 acres of mast trees killed by the 1993 flood will be reforested. In regard to your comment on areal spraying of poisons, the assumption is made that you are referring to tree plantings with herbicide applications. You may be assured that herbicide applications will only be applied under the recommendations of the tree manufacturer (nursery) and Federal/state forestry experts.

The Calhoun Point project uses backwater dredging and disposal of dredged material to provide benefits to both aquatic and terrestrial habitats. The dredged backwaters will provide over-wintering habitat for aquatic species. Dredged material will be used to create varying elevations of habitat in the project area that provides bottomland hardwoods an opportunity to regenerate naturally. The Corps believes the Calhoun Point EMP project provides a wide range of habitat enhancements and management alternatives for this riverine ecosystem.

The Corps appreciates your notification that permit denial information on the St. Louis District web page was inaccurately depicted for a few months. This information is being corrected. Typically, low percentages of individual permits are denied as a result of a required sequencing process. The sequencing process encourages applicants to first consider options that would avoid impacts to the aquatic environment and then minimize unavoidable impacts. After avoiding and minimizing impacts, the applicant may be required to provide compensatory mitigation for remaining impacts. This process reduces impacts to waters of the United States and normally results in issuance of a permit under Section 404 of the Clean Water Act.

On August 2, 2001, the Director of Civil Works, on behalf of the Chief of Engineers and the Assistant Secretary of the Army for Civil Works, instructed the Corps of Engineers to resume the Upper Mississippi River-Illinois Waterway System Navigation Study. The refocused study will develop a plan to be used as a framework for the environmental sustainability of the river's navigation system, ecosystem, and floodplain management, while preserving the operational characteristics of each. A collaborative process is underway with all stakeholders of the Upper Mississippi River to prepare an interim report on a comprehensive management plan by July 2002 with a final report due later.

The National Federal Senior Principals Task Force was established by the Corps of Engineers to provide national-level balance and guidance on important economic and environmental issues to assist in bringing this study to completion and to advise the Corps on appropriate study adjustments to address the National Research Council recommendations. The Principals Group includes senior Washington administrators of the Maritime Administration, the Agricultural Marketing Service of the U.S. Department of Agriculture, the Fish and Wildlife Service, the Environmental Protection Agency, and the Corps of Engineers. The Corps intends to continue to involve this group throughout the life of this study. A regional version of the group also provides Federal interagency input for the study. As Commander of the Corps' Mississippi Valley Division, I am chairman of this Regional Interagency Work Group.

The Corps of Engineers will continue its efforts to meet the flood control, navigation, and environmental needs in the Mississippi Valley. The Commission appreciates your participation in our public hearing in St. Louis and looks forward to hearing from you at our future public meetings.

Sincerely,

Edwin J. Arnold, Jr.
Brigadier General, U. S. Army
President, Mississippi River
Commission